

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:22-cr-124-1

vs.

JOSHUA A. HUGHES,

District Judge Michael J. Newman

Defendant.

ORDER REQUIRING DEFENDANT'S COUNSEL OF RECORD TO FILE, BY JANUARY 16, 2024, A NOTICE CLARIFYING WHETHER DEFENDANT SEEKS LEAVE TO WITHDRAW HIS GUILTY PLEA

This criminal case is before the Court upon Defendant Joshua Hughes's *pro se* letter in which he expresses his belief that his plea agreement is unfair.¹ Doc. No. 143 at Page 870. Defendant finds unfairness given that this case involves his first ever felony charge and his plea agreement, if accepted by the Court, will result in a 60-month term of imprisonment. *Id.* Most of the remaining matters Defendant discusses in his letter describe his personal history and other circumstances that may be relevant to determining what sentence the Court should impose. *Id.*

Liberally construing Defendant's *pro se* letter in his favor, *see Erickson v. Pardus*, 551 U.S. 89, 94 (2007), it is unclear whether he seeks leave to withdraw his guilty plea or whether he intends his letter to only address matters relevant to his sentencing. The Court therefore **ORDERS** Defendant's counsel of record to file, **by January 16, 2024**, a **NOTICE** clarifying whether Defendant seeks leave to withdraw his guilty plea.

IT IS SO ORDERED.

January 8, 2024

s/Michael J. Newman

Hon. Michael J. Newman
United States District Judge

¹ Defendant and the Government reached the plea agreement pursuant to Fed. R. Civ. P. 11(c)(1)(C).